



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

APPEARANCES:

Franklin County Prosecutor's Office  
By Mr. Tim Lecklider,  
Assistant Prosecuting Attorney  
373 South High Street  
Columbus, Ohio 43215

On behalf of the Board.

ALSO PRESENT:

Ms. Suzanne Brown,  
Executive Assistant to the Board.

- - -

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

INDEX

- - -

ITEM	PAGE
Approval of Minutes	4
Provisional Ballot Count	5
Provisional Ballot Birthday Mismatches	5
Provisional Ballot Transposed Address	6
Provisional Ballot with Four Ballots	7
Opening Provisional Ballots for Possible Remake	11
Opening Provisional Ballots	13
Absentee Birthday Deficiencies	15
Absentee Voter Intent	18
Remake Absentee Voter Forms with Skewed Guides	20
Recess	22
Remake 21 Provisional Ballots and Include in Canvass	23
Unofficial Canvass of Mayor's Race	23
Adjourn	24

- - -

1 Monday Afternoon Session,  
2 May 18, 2015.

3 - - -

4 DIRECTOR ANTHONY: Mr. Chairman, I would  
5 like to call the Franklin County Board of Elections  
6 to order. I will do the roll call. Kimberly  
7 Marinello.

8 MEMBER MARINELLO: Here.

9 DIRECTOR ANTHONY: Gregory Haas.

10 MEMBER HAAS: Here.

11 DIRECTOR ANTHONY: And Brad Sinnott.

12 MEMBER SINNOTT: Here.

13 DIRECTOR ANTHONY: Mr. Chairman, we have  
14 a quorum.

15 MEMBER SINNOTT: Very good.

16 DIRECTOR ANTHONY: First, approval of the  
17 minutes of the May 4 meeting.

18 MEMBER MARINELLO: Mr. Chairman, I move  
19 to approve the minutes of the May 4 Board of  
20 Elections meeting.

21 MEMBER SINNOTT: Second.

22 DIRECTOR ANTHONY: All those in favor.

23 That motion carries. And I am going to  
24 sign this and you guys' John Hancock.

1           The second item on the -- on the agenda  
2 would be the provisional ballot count. We'll have  
3 Renee Klco from the Voters Services Department come  
4 and give us a count. You have a long 8-1/2 by  
5 whatever that is.

6           DEPUTY DIRECTOR PAYNE: 11.

7           DIRECTOR ANTHONY: 14, yeah.

8           DEPUTY DIRECTOR PAYNE: 8-1/2 by 14.

9           DIRECTOR ANTHONY: 8-1/2 by 14 sheet that  
10 Renee is going to be walking you through.

11          Renee.

12          MS. KLCO: We have a total of 777  
13 ballots. 660 we know at this point are good. I have  
14 six ballots I would like to put before you  
15 individually. I have four that have birthdate  
16 mismatches, either off by one or two digits or the  
17 year, but everything else on the ballot envelope is  
18 correct.

19          DIRECTOR ANTHONY: And what is your  
20 recommendation for those?

21          MS. KLCO: All of these be accepted.

22          MEMBER SINNOTT: Okay. Renee, everything  
23 checks out about these absentee envelopes except the  
24 birthdate?

1 MS. KLCO: Yes, provisional envelopes  
2 except the birthdate.

3 MEMBER SINNOTT: Provisional envelopes.  
4 So there's a match between the ID presented and the  
5 registration address?

6 MS. KLCO: Correct.

7 MEMBER SINNOTT: Social Security numbers  
8 are right?

9 MS. KLCO: Correct.

10 MEMBER SINNOTT: How many are there?

11 DIRECTOR ANTHONY: Four of those, right?

12 MS. KLCO: Yeah, four of those.

13 DIRECTOR ANTHONY: So can you follow  
14 through? Should we do a motion to have the Board  
15 approve those four or would that just automatically  
16 go into the count?

17 MS. KLCO: Do you want to go through all  
18 of them? I only have two more left.

19 DEPUTY DIRECTOR PAYNE: The two left that  
20 will get us to the six.

21 MS. KLCO: Then I have one ballot here,  
22 Carol Martin, the last four of her Social Security  
23 are 1951 and her street address is 1591. She  
24 transposed those numbers, and she does live at 1591.

1 We checked on the Auditor's website.

2 DIRECTOR ANTHONY: So you recommend?

3 MS. KLCO: That we accept this one as  
4 well.

5 DIRECTOR ANTHONY: So, now, we are up to  
6 five, right?

7 MS. KLCO: Uh-huh.

8 DIRECTOR ANTHONY: So you have got one  
9 more?

10 MS. KLCO: One more.

11 DIRECTOR ANTHONY: Okay.

12 MS. KLCO: Then I have one last one in  
13 this group where the poll worker stated they gave  
14 this voter three ballots by mistake, instead of just  
15 the one, but before they could get the two ballots  
16 back from the voter, it had already been sealed. So  
17 I just want to open it and see what the voter had  
18 done to the other two ballots.

19 DIRECTOR ANTHONY: So --

20 MEMBER SINNOTT: Would you go over that  
21 again slowly?

22 MS. KLCO: We had the poll worker wrote  
23 in the problems and corrections page that they had  
24 given this voter three ballots by mistake instead of

1 just the one. But before they could get the two  
2 ballots back from the voter, the voter had already  
3 sealed the envelope. So we don't know what the voter  
4 did to the three ballots in there.

5 MEMBER SINNOTT: Well, it seems to me as  
6 though we need to open the envelope to see what's in  
7 there.

8 MS. KLCO: And I am ready for that.

9 DEPUTY DIRECTOR PAYNE: It's kind of like  
10 Al Capone's vault.

11 MEMBER SINNOTT: Let's hope there's  
12 something in here.

13 MS. KLCO: There's lots of stuff in here.  
14 And they voted every single one.

15 MEMBER MARINELLO: They probably thought  
16 they hit the lotto.

17 MS. KLCO: And they voted the same way  
18 with each one but they voted every single one and  
19 there is actually four in here. And this one is  
20 totally wrong.

21 MEMBER SINNOTT: Okay. Everything checks  
22 out about this voter, right?

23 MS. KLCO: Yes, other than the fact they  
24 voted everything they got.

1 MEMBER SINNOTT: Social Security No.,  
2 address?

3 MS. KLCO: Uh-huh, zip, driver's license,  
4 date of birth, signature.

5 DIRECTOR ANTHONY: So they voted four  
6 ballots instead of three?

7 MS. KLCO: Yes. They voted three ballots  
8 instead of just the one.

9 MEMBER HAAS: Three extra.

10 MEMBER MARINELLO: It probably took them  
11 a long time.

12 MS. KLCO: That one is totally wrong.

13 MEMBER SINNOTT: The fourth the school  
14 district races are missing.

15 MS. KLCO: Yes.

16 DIRECTOR ANTHONY: Did the poll worker  
17 give the wrong ballot?

18 MS. KLCO: Looks like it, yeah.

19 DIRECTOR ANTHONY: So we can't count that  
20 one anyway.

21 MS. KLCO: Yeah. This -- oh, my  
22 goodness, they gave -- these two ballots are the  
23 same. This one and this one are different. See  
24 here? 316, 295 -- oh, they are all different. They

1 gave four different ballot styles.

2 DIRECTOR ANTHONY: What style should we  
3 be looking at?

4 MS. KLCO: 295, this one.

5 DIRECTOR ANTHONY: That's the only one we  
6 can legally count.

7 MS. KLCO: Yeah.

8 MEMBER SINNOTT: Renee, why don't you  
9 show that to the other Board members. That's  
10 interesting.

11 DIRECTOR ANTHONY: She gave her one of  
12 each style, she, the poll worker. I didn't mean to  
13 say she was a she. It could have been a he.

14 MS. KLCO: This is our research here.  
15 She should have had ballot style 295 and that's this  
16 one here.

17 DIRECTOR ANTHONY: So that's the only one  
18 we can count.

19 MS. KLCO: Yes.

20 MEMBER MARINELLO: Makes our decision  
21 easy.

22 DIRECTOR ANTHONY: You need to keep those  
23 separate.

24 MS. KLCO: We'll shred these.

1 MEMBER SINNOTT: Okay. Renee, is that  
2 your full report?

3 MS. KLCO: No. I have these ballots  
4 here, and they are 42 which are voted in either in  
5 the right precinct, wrong -- right church, wrong pew,  
6 or the poll worker didn't put anything on the  
7 envelopes, so we are not quite sure what's inside.  
8 So we want permission to open these as possible  
9 remakes.

10 DEPUTY DIRECTOR PAYNE: That is later on  
11 in the agenda; is that correct?

12 MS. KLCO: Yeah. Once we know whether or  
13 not they are remakes.

14 MEMBER HAAS: Open them, check to see,  
15 then come back.

16 MEMBER SINNOTT: Those are provisional  
17 ballots?

18 MS. KLCO: Correct. That would be reject  
19 totals 600, there is 32 of those. And over the --  
20 over on the other side that's 001, possible remake,  
21 where it's 10 of those.

22 MEMBER SINNOTT: So what you are dealing  
23 with next is a class of provisional ballots where  
24 your wish is to open them and come back to us with a

1 recommendation regarding whether they should be  
2 remade.

3 MS. KLCO: Correct.

4 MEMBER SINNOTT: All right.

5 DIRECTOR ANTHONY: So that would be a  
6 total of 42, 10 possible remakes and 32 right  
7 location, wrong precinct.

8 MS. KLCO: Correct.

9 DIRECTOR ANTHONY: Okay.

10 MEMBER SINNOTT: Would you remind us as  
11 to the outcome of a right location, wrong precinct  
12 ballot if we conclude that's what has happened?  
13 Those are countable?

14 MS. KLCO: It happens when we have a  
15 multiple precinct lid and the poll worker -- they are  
16 in the right location, but the poll worker may have  
17 given them the wrong ballot.

18 MEMBER SINNOTT: And if you determine  
19 that's the case, that is, the voter reported to the  
20 right location but was given the wrong precinct  
21 ballot, would we count the ballot?

22 MS. KLCO: Only what they are eligible to  
23 vote on. We would thus remake -- under a partisan  
24 team remake the ballot only for what that voter is

1 eligible.

2 DIRECTOR ANTHONY: And we don't know how  
3 many of those are like that yet.

4 MS. KLCO: No, we don't. Not yet.

5 DIRECTOR ANTHONY: So there would have to  
6 be a motion --

7 MEMBER SINNOTT: For those of you who  
8 drafted today's agenda do you want us to act on  
9 the -- on the opening of the provisional ballots now  
10 as opposed to undertaking the motion that is next on  
11 the agenda?

12 DIRECTOR ANTHONY: We could do it either  
13 way. We could do it one of two ways. We can make a  
14 motion now to remake those 42 ballots.

15 MS. KLCO: But I also --

16 DIRECTOR ANTHONY: No. Go ahead, Renee.

17 MS. KLCO: I would also like to open the  
18 660 --

19 DIRECTOR ANTHONY: Okay.

20 MS. KLCO: -- that we do deem as being  
21 acceptable, get those opened now so that we can run  
22 them, make sure they don't have to be remade.

23 DIRECTOR ANTHONY: Is the 42 included in  
24 that 660?

1 MS. KLCO: Pardon me?

2 DIRECTOR ANTHONY: Is that 42 included in  
3 that 660?

4 MS. KLCO: No, it is not.

5 DIRECTOR ANTHONY: So we probably need to  
6 add that to the 660 to open them and see.

7 MS. KLCO: Plus the six.

8 DIRECTOR ANTHONY: 660 plus 42 plus 6,  
9 right?

10 MS. KLCO: Correct.

11 MEMBER SINNOTT: That would represent all  
12 the provisional ballots that you're holding.

13 MS. KLCO: Yes.

14 MEMBER SINNOTT: Except for 111 which you  
15 are proposing to have rejected.

16 MS. KLCO: Correct.

17 MEMBER HAAS: Makes sense.

18 MEMBER SINNOTT: Why don't we do this  
19 piecemeal then and I would move that the Board  
20 instruct staff to open 708 provisional ballots which  
21 would be all the ballots that we have in our  
22 possession now except for 111 provisional ballots  
23 that the staff would be proposing for rejection.

24 MS. KLCO: Correct.

1 MEMBER HAAS: Makes sense.

2 MEMBER SINNOTT: I think that was a  
3 motion. Looking for a second.

4 MEMBER MARINELLO: Second.

5 DIRECTOR ANTHONY: All those in favor.  
6 That motion carries.

7 MS. KLCO: Thank you.

8 MEMBER SINNOTT: Thanks, Renee.

9 DIRECTOR ANTHONY: Now, what they will do  
10 they will take the team and start going to town with  
11 those.

12 MEMBER SINNOTT: Okay.

13 DIRECTOR ANTHONY: The next item on the  
14 agenda would be that we would have some absentee  
15 deficiencies. Zach Manifold, come up and talk about  
16 those.

17 MR. MANIFOLD: All right.

18 DIRECTOR ANTHONY: And Darlene.

19 MR. MANIFOLD: All right. So we've  
20 already processed all the other deficiencies other --  
21 that came in as of last Tuesday was the deadline for  
22 people to return their letter to correct their ID  
23 envelope.

24 The only thing we have left -- left is

1 the birthday deficiencies, so I am going to direct --  
2 there's a Directive 2014-18 -- 2014-18, Absentee  
3 Voting, No. 3 where it talks about the date.

4 The third provision there says -- gives  
5 you three -- three circumstances to count absentee  
6 ballots -- or identification envelopes. And the  
7 third one says or the Board of Elections has found  
8 that by the vote of at least three members that the  
9 voter has completed satisfactorily all the other  
10 required information, name, residence, address,  
11 signature, and identification. These are essentially  
12 what you just did with the provisionals where all the  
13 information has been verified and is correct  
14 signature, ID, everything except for the birthday,  
15 and so we have 45 absentee ballots that are currently  
16 deficient with the birthday. So we want to see if  
17 you guys want to vote to accept those 45 ballots.

18 DIRECTOR ANTHONY: Do you want to pass  
19 them out so they can at least look at them?

20 MR. MANIFOLD: Yeah. There is a cover  
21 sheet on them that kind of breaks down what people  
22 didn't -- what matched up. Some people matched up  
23 day. Some people matched up month. I think 27 or 28  
24 didn't -- didn't fill it out at all on the envelope

1 so.

2 MEMBER SINNOTT: Okay. So, Zach, in 27  
3 of these instances there is no birthday information  
4 at all?

5 MR. MANIFOLD: Uh-huh, correct.

6 MEMBER SINNOTT: Is that a curable  
7 problem under directive?

8 MR. MANIFOLD: Yeah. The directive says  
9 as long as all the other information is found to  
10 match. I guess it's essentially what you guys did  
11 with the provisionals as long as you all three agree.

12 MEMBER SINNOTT: And there is eight  
13 instances where there is a correct month and day  
14 showing as the birthdate.

15 MR. MANIFOLD: Yes.

16 MEMBER SINNOTT: But year is always 2015.

17 MR. MANIFOLD: Yes.

18 MEMBER SINNOTT: Seven more correct as to  
19 month and day but incorrect as to the year, showing a  
20 year other than 2015.

21 MR. MANIFOLD: Correct.

22 MEMBER SINNOTT: Month and day correct on  
23 the birthday but no year submitted would be one.

24 Month and year correct but wrong day in instance of

1 another and then there is another one where day and  
2 year are correct but there's the wrong month?

3 MR. MANIFOLD: Correct.

4 MEMBER SINNOTT: Okay.

5 MEMBER HAAS: I move that we accept the  
6 Absentee Ballot Department's recommendation that the  
7 45 absentee ballots with the date of birth  
8 deficiencies with all other voter ID information  
9 complete pursuant to SOS Directive 2014-18.

10 DIRECTOR ANTHONY: Is there a second?

11 MEMBER SINNOTT: There is.

12 DIRECTOR ANTHONY: All those in favor.  
13 That motion carries.

14 MR. MANIFOLD: Thank you.

15 DIRECTOR ANTHONY: And while he is still  
16 up there we had absentee ballots that -- I will let  
17 you go ahead and explain why you need to remake  
18 those.

19 MR. MANIFOLD: All right. This is the --  
20 all right. So I am going to pass this around. This  
21 is another one of the intent questions sort of like  
22 what we had at the last meeting. There is a  
23 little -- you know, whenever people start marking  
24 stuff, it's always hard to judge on what -- what the

1 voter meant to mark on the ballot so you are looking  
2 at the City Council race. It's currently list -- I  
3 think our machine is currently counting it as an  
4 overvote. I think the staff was -- wanted you guys  
5 to make the call on what you thought that City  
6 Council race -- what the voter intent was there.

7 DIRECTOR ANTHONY: So one voter's intent,  
8 right?

9 MR. MANIFOLD: Yeah. Like I said, I  
10 think our machine currently counts it as an overvote.  
11 It would be your guys' decision on whether you want  
12 to continue to count it as an overvote or if you  
13 think it's something else. The mark was a little.

14 DEPUTY DIRECTOR PAYNE: As far as your  
15 agendas are concerned, we kind of skipped over one.  
16 We are on voter intent right now, remaking absentee  
17 ballot on voter intent.

18 MEMBER SINNOTT: I move that the Board  
19 authorize the staff to remake one absentee ballot  
20 presently in the possession of the Board to reflect  
21 the voter's intent and that this ballot should be  
22 included in the official canvass.

23 And I think you will also need  
24 instruction regarding how the Board perceives the

1 voter's intent.

2 So continuing with the motion this is a  
 3 vote for Andrew Ginther for Mayor; for Columbus  
 4 Council Michelle Mills, Jaiza Page, Michael  
 5 Stinziano, and Zach Klein; and for School Board Eric  
 6 Brown, Shawna Gibbs, Jim Hunter, and Ben Tyson.

7 DIRECTOR ANTHONY: Did you get that?

8 MR. MANIFOLD: Yeah.

9 DIRECTOR ANTHONY: Is there a second?

10 MEMBER MARINELLO: Second.

11 DIRECTOR ANTHONY: All those in favor.

12 Motion carries.

13 MR. MANIFOLD: All right. Thanks, guys.

14 MEMBER SINNOTT: Is there another  
 15 remaking of an absentee ballot?

16 MR. MANIFOLD: Yeah. We are going to go  
 17 back. Sorry we skipped one. So these are -- I  
 18 believe these will not run through the machine.

19 MR. SHELL: There was a cut on the paper.

20 MR. MANIFOLD: They all look normal but  
 21 they are all cut kind of skewed. They are skewed in  
 22 the cut, and I don't know if you can see, for  
 23 instance, this one is probably the easiest one to  
 24 see, the last one, see how the guides are here on the

1 ends? It's missing its guides here. It's turned at  
2 some point when they were cutting the paper. And so  
3 it missed its mark and all three of these are -- the  
4 three of them won't run through our tabulator machine  
5 currently in their current state so they need to be  
6 remade so that we can actually run those through.

7 DIRECTOR ANTHONY: Remade by a partisan  
8 team to sort of go -- so they will go through the  
9 tabulator, tabulation equipment.

10 MEMBER HAAS: Okay. I move the Board to  
11 authorize the staff to remake the absentee ballots  
12 and have those remade ballots be included in the  
13 official canvass results of the May 5, 2015, primary  
14 election.

15 DIRECTOR ANTHONY: Is there a second?

16 MEMBER MARINELLO: Second.

17 DIRECTOR ANTHONY: All those in favor.

18 That motion carries as well,  
19 Mr. Chairman.

20 The next one -- was that all you guys  
21 had?

22 MR. MANIFOLD: I think that was it,  
23 right?

24 DIRECTOR ANTHONY: All right. Then we

1 need to now take a recess so that they can go do what  
 2 they got to do, open them up and.

3 MEMBER MARINELLO: I move the Board  
 4 recess so the staff can scan and approve the  
 5 provisional ballots for the May 5, 2015, primary  
 6 election.

7 DIRECTOR ANTHONY: Is there a second?

8 MEMBER HAAS: Second.

9 DIRECTOR ANTHONY: All those in favor.

10 We stand in recess.

11 (Recess taken.)

12 DIRECTOR ANTHONY: Mr. Chairman, are we  
 13 ready to reconvene?

14 MEMBER SINNOTT: I believe we are. I  
 15 move that the Board reconvene from recess.

16 MEMBER HAAS: Second.

17 DIRECTOR ANTHONY: All those in favor.

18 We stand reconvened.

19 Zach Manifold, do you want to give us?

20 MR. MANIFOLD: Why don't we start with an  
 21 update to Renee's provisional report.

22 DIRECTOR ANTHONY: Okay.

23 MR. MANIFOLD: Those 42 that were needed  
 24 to be open for the right church, wrong pew, 21

1 were -- 21 were correct and then 21 were right  
2 church, wrong pew, so we need to remake 21 of those  
3 ballots.

4 DIRECTOR ANTHONY: Okay. All right. We  
5 need a motion on that.

6 MEMBER HAAS: That's 21?

7 DIRECTOR ANTHONY: Yeah.

8 MEMBER HAAS: Okay. I move that the  
9 Board authorize the staff to remake 21 provisional  
10 ballots and that the remade ballots shall be  
11 tabulated and included in the canvass of the May 5,  
12 2015, primary election.

13 MEMBER SINNOTT: Second.

14 DIRECTOR ANTHONY: All those in favor.

15 Motion carries.

16 MR. MANIFOLD: All right. Now, we have  
17 an update to the unofficial canvass since everybody  
18 is wanting to know where we are at. We were at  
19 100 -- in the Columbus mayor's race we were at 151  
20 votes separating Zach Scott and Terry Boyd on  
21 election night. And currently we are now at 138, 138  
22 in favor of Scott over Boyd.

23 MEMBER SINNOTT: What are you calculating  
24 is the mandatory recount?

1 MR. MANIFOLD: The auto recount is now up  
2 to 114. So that's the latest. We have those 21  
3 ballots that you just authorized to remake, and then  
4 we have 4 election day paper ballots that got mixed  
5 in with provisionals because it went in the wrong  
6 envelope on election day. So we have 25 ballots  
7 outstanding at this point.

8 MEMBER SINNOTT: Then there would be a  
9 small number of ballots reported from Delaware and  
10 Fairfield Counties.

11 MR. MANIFOLD: Yep. We have two counties  
12 left.

13 DIRECTOR ANTHONY: And just to reiterate  
14 this is the unofficial.

15 MR. MANIFOLD: Just an update.

16 DIRECTOR ANTHONY: Just an update,  
17 unofficial. We don't need a motion for that.

18 MEMBER SINNOTT: No. That was a good  
19 report.

20 MEMBER HAAS: Yep.

21 MEMBER SINNOTT: I don't have any other  
22 business that needs to come before the Board. I'll  
23 move that we adjourn.

24 DIRECTOR ANTHONY: Is there a second?

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

MEMBER MARINELLO: Second.

DIRECTOR ANTHONY: All those in favor.

We stand adjourned.

(Thereupon, at 5:13 p.m., the meeting was adjourned.)

- - -

CERTIFICATE

I do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me in this matter on Monday, May 18, 2015, and carefully compared with my original stenographic notes.

---

Karen Sue Gibson, Registered  
Merit Reporter.

(KSG-6045)

- - -